

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MICHAEL F. CONSEDINE, Insurance :  
Commissioner of the Commonwealth of :  
Pennsylvania, in his official capacity as Liquidator :  
of Reliance Insurance Company, :

Plaintiff, :

-against- :

PEPSICO, INC., :

Defendant. :  
-----X

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14-cv-02238 (KMK)

NOTICE OF VOLUNTARY  
DISMISSAL WITHOUT  
PREJUDICE UNDER  
FED. R. CIV. P. 41(A)(1)(A)(I)

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, defendant having not yet served an answer to the complaint or motion for summary judgment in the above-entitled action, plaintiff hereby dismisses the above-entitled action without prejudice.

Dated: New York, New York  
July 3, 2014

DUANE MORRIS LLP

By /s/ Fran M. Jacobs

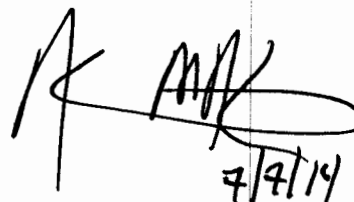
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So Ordered.

  
7/7/14